

11-14-2003 10:36am From-PATTON BOGGS

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PATTON BOGGS LLP
ATTORNEYS AT LAW

1660 Lincoln Street, Suite 1900
Denver, CO 80264-1901
303-830-1776

OFFICIAL

Facsimile: 303-894-9239

To: Examiner Ginette Peralta
Company: Commissioner Of Patents And Trademarks
Fax Number: 1-703-~~872-9319~~ 872-9306
Phone Number: 1-703-305-7722
Application No.: 09/998,469

Total Pages
Including Cover: 54

From: Elaine C. VonSpreckelsen, Secretary to Carl A. Forest

Sender's Direct Line: 303-894-6163

Date: November 14, 2003

Client Number: 13176.403

Comments:

ANCHORAGE

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Serial No.: 09/998,469 **Group No.:** 2814
Filed: 29 Nov 2001 **Examiner:** Peralta, Ginette
Confirmation No.: 5686

Attached please find the following documents to be entered in the above application:

1. Request For Continued Examination Transmittal Form PTO/SB/30 (1 page)
2. Fee Transmittal Form PTO/SB/17 (2 for a total of 2 pages)
3. Petition For Extension Of Time Form PTO/SB/22 (1 page)
4. IDS Transmittal and IDS Form PTO/SB/08A (2 pages)
5. Amendment and Remarks responsive to the Advisory Action mailed October 22, 2003, as well as the Final Office Action mailed June 16, 2003 (21 pages)
6. Declaration Of Larry D. McMillan, with attachment (21 pages)

If you should have any questions, please do not hesitate to contact me. Thank you for your assistance in this matter.

If you did not receive all of the pages or find that they are illegible, please call 303-830-1776.

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1834

Complete If Known

Application Number 09/993,469
Filing Date 29 Nov 2001
First Named Inventor Narayan Solayappan
Examiner Name Poralla, Ginette
Art Unit 2814
Attorney Docket No. 13176.403

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

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Account
Number

50-1848

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Patton Boggs LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	770	385	Utility filing fee	
1002	2002	340	170	Design filing fee	
1003	2003	530	285	Plant filing fee	
1004	2004	770	385	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below		Fee Paid
Total Claims	88	-67**	=	19	X	18	= 342
Independent Claims	8	-8**	=	2	X	86	= 172
Multiple Dependent					X		= 0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	2202	18	9	Claims in excess of 20	
1201	2201	88	43	Independent claims in excess of 3	
1203	2203	200	145	Multiple dependent claim, if not paid	
1204	2204	88	43	** Reissue independent claims over original patent	
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 514)

*Or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet	
1053	2053	130	130	Non-English specification	
1812	2820	2,520	2,520	For filing a request for reexamination	
1804	2804	920*	920*	Requesting publication of SIR prior to Examiner action	
1805	2805	1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	55	Extension for reply within first month	
1252	2252	420	210	Extension for reply within second month	420
1253	2253	950	475	Extension for reply within third month	
1254	2254	1,480	740	Extension for reply within fourth month	
1255	2255	2,010	1,005	Extension for reply within fifth month	
1401	2401	330	165	Notice of Appeal	
1402	2402	330	165	Filing a brief in support of an appeal	
1403	2403	290	145	Request for oral hearing	
1451	2451	1,510	1,510	Petition to institute a public use proceeding	
1452	2452	110	55	Petition to revive - unavoidable	
1453	2453	1,330	665	Petition to revive - unintentional	
1501	2501	1,330	665	Utility issue fee (or reissue)	
1502	2502	480	240	Design issue fee	
1503	2503	640	320	Plant issue fee	
1460	2460	130	130	Petitions to the Commissioner	130
1807	2807	50	50	Processing fee under 37 CFR 1.17 (a)	
1806	2806	180	180	Submission of Information Disclosure Sheet	
8021	2021	40	40	Recording each patent assignment per property (times number of properties)	
1809	2809	770	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	770	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	770	385	Request for Continued Examination (RCE)	770
1802	2802	900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1320)

SUBMITTED BY

Name (Print/Type)	Carl A. Forest	Registration No. (Attorney/Agent)	28,494	Telephone	303-904-8114
Signature		Date	November 13, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the parties which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent Application No.:	09/998,469)	
Filing Date:	November 29, 2001)	Group Art Unit: 2814
For:	Barrier Layers For Protecting Metal Oxides From Hydrogen Degradation)	Examiner: Peralta, Ginette
Applicants:	Solayappan et al.)	Docket No.: 13176.403US
)	Confirmation No.: 5686
)	Paper No.: 11

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence, along with all papers referred to as being transmitted, are being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 308-7724. *Ed*
9306

1486
November 12, 2003
Date

Elaine C. Von Spreckelsen
Elaine C. VonSpreckelsen

MAIL STOP RCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Dear Sir:

These Amendments and Remarks are responsive to the Advisory Action mailed October 22, 2003, as well as to the Final Office Action mailed June 16, 2003. A Declaration of Larry D. McMillan under Rule 132 is enclosed.

A two-month extension to reply is hereby requested under Rule 1.136 with the appropriate fee. A Request For Continued Examination and the appropriate fee are also filed herewith.

Serial No. 09/998,469
Remarks Responsive To
Advisory Action Mailed 10/22/03

Pag 1
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